

REMARKS

By the present Amendment, claims 8 and 14 are amended. This leaves claims 8-21 pending in the application, with claims 8 and 14 being independent.

Claims 8, 9, 12-15 and 18-21 are generic to all three species. Claims 10 and 16 read on the elected species, as well as species 3 (Figs. 4 and 4a). Claims 11 and 17 read on the elected species. Thus, all pending claims read on the elected species.

Request to Withdraw Final Rejection

The Office Action is made final, despite raising new rejections based on the contention that the previously filed Amendment necessitated new grounds of rejection. However, the previously presented claims refer to a “set” such that the new grounds were not necessitated by the previously filed Amendment.

Reconsideration and withdrawal of the finality is requested. Additionally, since the above amendments to claims 8 and 14, the specification and drawings place the application in condition for allowance or in better form for appeal, these changes should be entered and considered on their merits.

Objections to the Drawings

The newly submitted drawings add arrows “f” and “w” to show the filtering flow and the washing flow, respectively, as clearly described in the paragraph spanning pages 8-9 of the substitute specification and on page 9 of the originally filed specification. The additions of these arrows are fully supported by the present application, particularly since the original application would be interpreted in this manner by one skilled in this art.

The newly submitted drawings also add arrowheads for the lead lines for “16” to indicate more clearly that frame parts comprise sets of filtrate plates 26 and filter frames 18 for the embodiments of FIGS. 2, 2a and 2b, or comprise sets of filtrate plates 26, filter frames 28 and membrane plates 44 for the embodiments for FIGS. 3.3a, 4 and 4a.

Thus, these amended drawings comply with 37 C.F.R. §1.83(a).

Amendment to Substitute Specification

The paragraph spanning pages 8-9 of the specification is revised to refer to the arrows “f” and “w” of the amended drawings. Such addition is fully supported in the original application, as noted above.

Rejections Under 35 U.S.C. §112, First Paragraph

Claims 8-21 stand rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with both (1) the enablement requirement and (2) the description requirement relative to two phrases in claim 8. The first phrase relates to the recitation of the filtrate plates and filter frames being arranged in sets. The second phrase relates to the flow of the washing fluid being through the second filter mediums, the filter cakes and the laminar filters “in that order”.

The description in the specification is adequate to support both of these phrases. Regarding the embodiment of Fig. 2, the drawings and the corresponding description clearly discloses each frame part 16 being formed of a set or group defined by a filter plate 26 and a filter frame 28. Relative to the embodiment of Figs. 3 and 4, each frame part 16 is formed of or defined by a set or group of a filtrate plate 26, a filter frame 28 and a membrane plate 44. Each of these sets is repeated and located between mounting plates 10 and 12, as illustrated in Fig. 1,

as more specifically stated in the above amended paragraph of the substitute specification. Such sets would be readily recognized by one skilled in the art upon reading the original application to enable that person to make and use the invention to satisfy the enablement requirement and to understand that these sets are part of the applicant's invention to satisfy the written description requirement. In other words, the sets are merely the frame parts 16. The exact wording of the claims need not appear in the written description. M.P.E.P. §2173.05(e), p. 2100-225, right column.

Regarding the order of the washing fluid flow, such flow is clearly described in the specification, as originally filed on page 9 thereof. To facilitate this description, the revised drawings show the flow, as described in the specification, with arrows "f" showing the filtering flow, and arrows "w" showing the washing fluid flow.

Claims 8-21 are also rejected as being indefinite regarding the recitation "in that order" in claims 8 and 14. The sequential flow is described in the specification, as noted above, and is now more clearly recited by the added recitations in those claims.

Thus, claims 8-21 comply with all requirements of 35 U.S.C. §112 and are allowable.

Respectfully submitted,



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